

FILED WITH THE BOARD OF
RESPIRATORY CARE

ON April 27, 1993

ROBERT J. DEL TUFO
ATTORNEY GENERAL OF NEW JERSEY

By: Sandra Y. Dick
Deputy Attorney General
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Tel. (201) 648-4738

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF THE APPLICATION OF:

Administrative Action

CONSENT ORDER

LEON WILLIAMS

FOR A LICENSE TO PRACTICE
RESPIRATORY CARE IN THE STATE OF
NEW JERSEY

This matter was opened to the New Jersey State Board of Respiratory Care upon receipt of an application for a license filed by Mr. Leon Williams. The Board considered the testimony of Mr. Williams before it on July 7, 1992, and reviewed all relevant documentation submitted.

The Board found that Mr. Williams was convicted in 1985 of unlawful possession and unlawful distribution of a controlled dangerous substance and has successfully completed probation regarding that conviction. The Board also found that after testifying that he did not recall any other arrests or convictions, Mr. Williams later certified that he recalled that in September 1989, he was arrested in New York for misdemeanor possession of a controlled substance in the seventh degree and a disorderly conduct violation and plead guilty to the

attar charge. The Board also found that Mr. Williams has made substantial efforts at rehabilitation.

The parties being desirous of resolving this matter, and the Board finding that the within Consent Order is adequately protective of the public interest;

IT IS ON THIS 27th DAY OF April, 1993,

ORDERED THAT:

1. A license to practice respiratory care in the State of New Jersey shall be issued to Leon Williams upon the filing of the within Order. The license shall be on probationary status for 2 years from the date of issuance.

2. During the period of probation, Leon Williams shall notify the Board in writing, of the name and address of each of his employers and all changes in employment, within 10 days of such employment or change in employment.

3. Leon Williams shall undergo directly witnessed random urine monitoring to be conducted by and under the procedures of the Physicians' Health Program, no less than twice and not to exceed four times during the period of probation. Thereafter, if all testing has been negative, testing shall be discontinued.

4. Leon Williams shall make himself available for the testing (at the Office of the Medical Society of New Jersey in Lawrenceville, New Jersey), outlined in paragraph 3 above, upon advance telephone notice. For this purpose, Leon Williams shall have at all times on file with the Board, a current phone number at which he can be reached. The Physicians' Health Program shall make every effort, when

practical, to provide Mr. Williams with 24 hours notice of testing, but failure to meet this additional condition shall not be grounds for refusal to submit to urine testing.

5. Leon Williams shall not utilize any mood altering chemicals and shall not consume, possess or administer to himself any prescription medication without a valid prescription from a physician. If any medication is taken upon prescription from another physician, Leon Williams shall notify the Physicians' Health Program of that fact before the next urine sample is submitted, and shall cause his treating physician to transmit his medical record to the Physicians' Health Program and the Office of Attorney General.

6. Leon Williams shall become knowledgeable about any and all foods or food additives or other products which may confound the validity of urine screenings; shall be presumed to possess that knowledge; and shall refrain from ingesting or otherwise using or employing any such product.

7. In the event that any urine testing as indicated above is positive for any controlled drug, barring an explanation satisfactory to the Physician's Health Program, or in the event that Leon Williams otherwise does not comply with the testing requirements ordered herein including, but not limited to, failure to appear and provide a urine sample upon notice as set forth above:

a. both the Physicians' Health Program and Leon Williams shall report same to this Board and to the Office of Attorney General within 24 hours, Mr. Williams attaching a statement of his reasons for a positive drug test and/or failure to comply with the urine testing

program.

b. Leon Williams hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Leon Williams has a report of a confirmed positive urine, or has engaged in drug abuse or possession or distribution of controlled substances.

c. Leon Williams shall have the right to apply for removal of the automatic suspension on two (2) days notice but in such event shall be limited to a showing that the urine tested was not his or was a false positive in the case of urine testing, or that other information submitted was false.

d. Upon the receipt of any reliable information that any of the other conditions of probation set forth above have been violated, the Attorney General may apply for an emergent hearing before this Board or such member(s) as the Board President may designate for this purpose on one week's notice to Respondent. That hearing shall be limited to the issue of whether this Order has been violated. Upon proof by a preponderance of the evidence of a material violation of this Order, the Board may summarily suspend or limit Respondent's license to practice respiratory care pending a plenary hearing on those charges.

8. Leon Williams agrees by his signature on this order to waive any claim to confidentiality of any information regarding his urine monitoring or possible impairment obtained by the Physician's Health Program or information regarding any impairment obtained by any

drug treatment program, and allows disclosure to the Board of Respiratory Care, and allows the Board of Respiratory Care to utilize such information in connection with any licensure or disciplinary proceeding.

9. Leon Williams shall comply with all statutes and regulations regarding the practice of respiratory care.

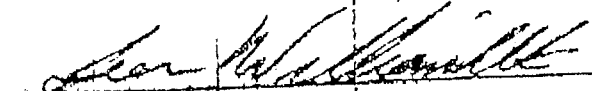
ORDERED that failure to comply with any term of this Consent Order will result in the immediate revocation of the license to practice respiratory care issued to Leon Williams. +

BOARD OF RESPIRATORY CARE


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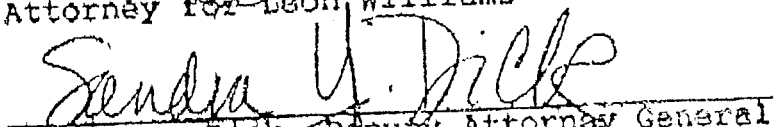
~~Dr.~~ Jorge Gonzalez-Gomez, (M.D.)
President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given for the Board to enter this Order.


Leon Williams

Consent is hereby given to the form and entry of the above order:


Dalwyn Dean, Esq.
Attorney for Leon Williams


Sandra Y. Dick, Deputy Attorney General
Attorney for the State Board of Respiratory Care

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Physicians' Health Program
Dr. David Canavan

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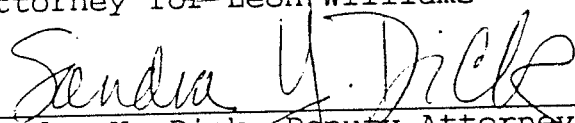
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Physicians' Health Program
Dr. David Canavan